

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 09/168,072
Applicant : MARCHESANI
Filed : October 8, 1998
TC/A.U. : 3711
Examiner : Pierce, William M
Title : LOW/MAX CARD GAME METHOD AND APPARATUS
Docket No. : 82022-0101
Customer No. : 24633

MAIL STOP: AMENDMENT

Commissioner of Patents

P.O. Box 1450

Alexandria, Virginia 22313-1450

AFFIDAVIT UNDER 37 C.F.R. §1.131

Sir:

I, the undersigned, Nicholas P. Marchesani declare that:

1. I am the inventor of the invention claimed in the above-captioned U.S. Patent Application (the "Application"), and submit this declaration in support of the Application.

2. It is my recollection that I fully conceived of the invention described in the Application at least as early as May 1998. I attach at Exhibit A a copy of an invention description document I prepared to communicate my invention (at the time, termed the "Low-Max" game) to patent attorneys to perform prior art searches and explore the patenting of my invention. The document is dated May 6, 1998 and bears my signature on both the first and last pages. It is my belief that the date is accurate, and it is my recollection that this document was transmitted to my patent attorneys within a few weeks of that date. After transmitting the document to my patent attorneys, I also recollect having one or more telephone conversations with them describing the invention in detail and requesting that a patent prior art search be conducted.

3. Attached at Exhibit B is a copy of a written document signed by me and dated August 3, 1998, and forwarded to my patent attorney by facsimile. This document provided details concerning the “poker scoring” embodiments of the Low-Max game for inclusion into a draft patent application. It is my belief that this date on Exhibit B is accurate.

4. Attached at Exhibit C is a copy of a letter sent by my patent attorney and enclosing results of a patent search. This letter is dated August 5, 1998. My recollection is that the Application was drafted and prepared following review of the results of this search with my attorney.

4. Attached at Exhibit D is a copy of a letter from my personal records sent to me by my patent attorney on September 17, 1998. The Exhibit C letter also includes a draft patent application enclosed with the letter. It is my recollection that the draft enclosed with the letter was one of several drafts circulated between me and my attorneys before the filing of the Application.

5. Thus, after conceiving of the invention I described the invention fully on paper, obtained a patent attorney, and communicated the various embodiments of the invention to my attorney for performing a patent search. After receiving and reviewing results of the patent search, I worked with my attorneys to prepare the Application. Thus, my recollection and belief is that I diligently and continuously worked to reduce to practice a working embodiment of the invention after first conceiving of the invention as early as May of 1998.

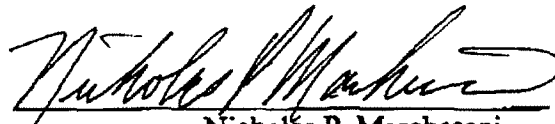
9. I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States

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Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Declared by me on November 21, 2007.



Nicholas P. Marchesani

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AFFIDAVIT UNDER 37 C.F.R. §1.131

EXHIBIT A

Company
Name: New Fun
Enterprises

Game
Name: Low
Max

By: Nuboku P. Manheim
5/6/98

LOW-MAX

GAME TYPE; LOW MAX IS A CARD GAME PLAYED ON A BLACK JACK SIZE TABLE, WITH REGULATION PLAYING CARDS. LOW MAX IS NOT A POKER GAME.

OBJECT; EACH PLAYER WILL BE DEALT 4 CARDS FROM A REGULAR DECK OF CARDS. THE OBJECT IS TO MAKE 2 HALF HANDS, OF 2 CARDS EACH. ONE HALF AS LOW AS POSSIBLE, AND 1 HALF AS HIGH AS POSSIBLE. POINT TOTALS ARE CALCULATED BY ADDING FACE VALUE OF BOTH CARDS TOGETHER
EXAMPLE: (5+2=7)LOW. (10+9=19)HIGH, -
(ACE+ACE=2,12,OR 22)

**LOWEST HAND POSSIBLE IS (2)

**HIGHEST HAND POSSIBLE IS (22)

CARD VALUES; - 2`S THRU 9`S ALL EQUAL FACE VALUE.
- 10`S, JACKS, QUEENS, AND KINGS ALL EQUAL 10.
- ACES CAN BE USED AS 1 OR 11

**OPTIONS; - 10`S = 10, JACKS = 11, QUEENS = 12,
KINGS = 13, ACES = 1

GAME; EACH PLAYER MAKES A WAGER (SAY 10 DOLLARS). THE DEALER WILL DEAL 4 CARDS TO EACH PLAYER. THE PLAYERS WILL SPLIT THE 4 CARDS INTO 2 HALF HANDS, 2 CARDS EACH. THE PLAYERS MUST MAKE A LOW HALF AND A HIGH HALF. THE DEALER WILL SPLIT HIS CARDS INTO 2 HALF HANDS ALSO. (1-LOW+1 HIGH) PLAYER MUST WIN BOTH HIGH AND LOW TO WIN. A 5% HOUSE COMMISSION IS RECOMMENDED ON ALL WINNING HANDS FOR THIS STYLE OF LOW MAX.

**OPTION; - DRAWING 1 REPLACEMENT CARD FOR AN ADDITIONAL 50% OF THE WAGER. EXAMPLE; BET IS 10 DOLLARS, PLAYER CAN HAND IN 1 CARD AND PAY \$5 MORE FOR A NEW CARD. DISCARD MUST BE HANDED IN FIRST (FACE DOWN) WITH \$5 BEFORE THEY WILL RECIEVE A NEW CARD, (FACE DOWN). DEALER MAY ONLY DRAW A REPLACEMENT CARD WHEN 3 OUT OF 4 CARDS ARE EQUAL IN VALUE, OR 3 OF THE CARDS ARE BETWEEN 5 AND 10 IN VALUE, (6`S, 7`S, 8`S + 9`S). ANY 3 CARD COMBINATION OF THESE CARDS MAY DRAW ALSO.

**OPTION; - DEAL EACH PLAYER 5 CARDS AND...

1. THROW 1 CARD BACK, AND ONLY USE 4 CARDS
--2 LOW + 2 HIGH
2. USE ALL 5 CARDS
--3 CARDS IN HIGH OR LOW + 2 IN THE OTHER
3. COMMISSION OF 5% IS RECOMMENDED

**OPTION; - DEAL EACH PLAYER 3 CARDS

1. ONE HALF HAS 2 CARDS AND THE OTHER HALF ONLY 1 CARD.
2. DEAL EACH PLAYER 3 CARDS AND GIVE THEM ONE FREE HIT LATER
3. DEAL 3 CARDS AND ALLOW THEM TO DISCARD 1, AND DRAW ANOTHER CARD FOR AN ADDITIONAL 50% OF THIER BET

**OPTION; - PLAYERS ARE DEALT 4 CARDS AND THE DEALER 5 CARDS

1. NO DRAWS, DEALER MUST DISCARD 1
2. PLAYERS MAY REPLACE 1 CARD FOR AN ADDITIONAL 50% OF THE BET, DEALER DISCARDS 1 (NO DRAWS)

**OPTION; - PLAYERS BANKING

1. ANY PLAYER MAY BANK A HAND FOR A FEE OF 5% COMMISSION ON ALL WINNINGS

- BANKING RULES

1. MUST HAVE ENOUGH MONEY TO PAY ALL THE PLAYERS AND THIER BANK BET COMBINED.
2. MUST PLAY AGAINST THE DEALER FIRST, FOR NO MORE THAN LAST BET AGAINST DEALER.
3. DEALER MUST BANK EVER OTHER HAND.

**OPTION; -PLAYERS CO-BANKING

1. ANY PLAYER MAY CO-BANK WITH THE DEALER FOR A 5% COMMISSION ON ALL THIER WINNINGS.

-CO-BANKING RULES.

1. MUST HAVE 50% OF ALL WAGERS FROM OTHER PLAYERS COMBINED.
2. DEALER USES THE CO-BANKERS HAND INSTEAD OF THE DEALERS HAND.
3. CO-BANKER MUST PAY 5% ON HIS WINNINGS
4. WIN-LOSS GETS SPLIT IN HALF
5. CO-BANKER DOES NOT PLAY AGAINST DEALER.

** DEALER WINS ALL PUSHES, WITH DRAWS OR WITHOUT DRAWS.

WINNING - NO DRAWS - ALL BETS ARE 1 TO 1 PAYOFFS -
- ALL WINNERS ARE CHARGED 5% COMMISSION -

1. PLAYERS LOW HALF IS LOWER THAN DEALERS LOW AND HIGH HALF IS HIGHER THEN DEALERS HIGH. BOTH HALFS MUST WIN TO WIN HAND.

LOSING- NO DRAWS

- 1- PLAYERS LOW IS NOT LOWER THAN DEALERS LOW AND HIGH HALF IS NOT HIGHER THAN DEALERS HIGH. DEALER WINS BOTH HANDS. PLAYER LOSES WAGER.
- 2- PLAYER HAS ONE LOSER AND ONE PUSH; PLAYER LOSES WAGER.
- 3- PLAYER PUSHES BOTH HIGH AND LOW; PLAYER LOSES WAGER.

PUSHING- NO DRAW

- 1- IF PLAYER HAS 1 WINNER AND 1 PUSH, PLAYERS WAGER BECOMES A PUSH.
- 2- IF PLAYER HAS 1 WINNER AND 1 LOSER PLAYERS HAND PUSHES

- DRAWS -

- WINNING AND LOSING WITH DRAWS

1. PLAYER MAY DRAW 1 REPLACEMENT CARD WITH ANY COMBINATION, FOR AN ADDITIONAL 50% OF THEIR BET.
2. DEALER DRAWS WHEN HOLDING 3 CARDS THAT ARE EQUAL IN VALUE OR 3 CARDS BETWEEN 5 AND 10, (ALL FACE CARDS = 10) ALL FACE CARDS ARE EQUAL.

- WINNING - WITH DRAWS

1. PLAYER WINS BOTH HIGH AND LOW, PLAYER WINS EVEN MONEY
2. COMMISSION IS NOT RECOMMENDED WITH DRAWS BUT CAN BE USED.

- LOSING - WITH DRAWS

1. PLAYER LOSES WHEN BOTH HIGH AND LOW LOSE
2. PLAYER LOSES WITH 1 LOSER AND 1 PUSH
3. PLAYER LOSES WITH 2 PUSHES

- PUSHES - WITH DRAWS

1. PLAYER PUSHES WITH 1 WIN AND 1 LOSER
2. PLAYER PUSHES WITH 1 WIN AND 1 PUSH

999
**OPTION; - PAYOUTS FOR ANY FOUR OF A KIND

1. ONE SET PAYOUT FOR GETTING FOUR
OF A KIND.
2. PROGRESSIVE JACKPOT
- ONE SIDE DOLLAR FOR EACH HAND.

Nicholas P. Manheim
5/6/98

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EXHIBIT B

ATTN CELINE

LOW MAX POKER VERSION

THE POKER VERSION OF LOW MAX CONSISTS OF ALL THE SAME OPTIONS LISTED IN THIS PATENT. COMMISSION, DRAWS, PROGGESION, COMMUNITY CARD OR CARDS, REPLACE A CARD OR CARDS, BANKING, MULTIPLE NUMBER OF CARDS DEALT PER HAND (3,4,5,6,7), NO DRAWS, SPLITTING HAND INTO A LOW HALF AND A HIGH HALF (ANY FASHION), PLUS ALL THE SAME VARIATIONS OF EACH STYLE.

LOW MAX POKER IS FOUR CARD HIGH LOW USING A POKER FORMAT. ALL HANDS WILL HAVE A POKER VALUE INSTEAD OF A FACE VALUE. THE LOWEST HALF A HAND IS NOW (2,3).

Low Max
New Fun Enterprises
Mark Mahan

AUTOMATIC COVER SHEET

DATE : AUG-03-98 10:03 AM

TO :

FAX #: 12027836031

FROM: NEW FUNNTERSES.

FAX # .2 6 6 6 4 5 4

2 PAGES ENR E S E N

(I N C L U D I N G H I S O V E R S H E E T)

Application Serial No. 09/168,072
Declaration under 37 CFR § 1.131
In reply to Office Action dated May 21, 2007

AFFIDAVIT UNDER 37 C.F.R. §1.131

EXHIBIT C

LAW OFFICES
ROTHWELL, FIGG, ERNST & KURZ

A PROFESSIONAL CORPORATION

G. FRANKLIN ROTHWELL
E. ANTHONY FIGG
BARBARA G. ERNST
RAYMOND A. KURZ
GEORGE R. REPPER
BART G. NEWLAND
STEVEN LIEBERMAN
VINCENT M. DELUCA
CELINE JIMENEZ CROWSON
JOSEPH A. HYND
MICHAEL G. SULLIVAN
MARK I. BOWDITCH
KENNETH M. FAGIN*
STEPHEN B. PARKER
MINAKSI BHATT
B. ALLISON HOPPERT*
JEFFREY W. RENNECKER
STEPHEN A. SAXE, Ph.D.*
MARTHA CASSIDY, Ph.D.
JULIE A. NELSON
ELIZABETH A. LEFF*
LISA FAHLEN ULDRICH†

COLUMBIA SQUARE
SUITE 701 EAST TOWER
555 THIRTEENTH STREET, N.W.
WASHINGTON, D.C. 20004

TELEPHONE (202) 783-6040
FACSIMILE (202) 783-6031
e-mail rfek@rfek.com

OF COUNSEL

ROBERT J. JONDLE, Ph.D.
13906 GOLD CIRCLE
SUITE 204
OMAHA, NE 68144
TEL: (402) 333-1550
FAX: (402) 333-1510

DON M. KERR*

JEFFREY L. IHLEN

ROBERT P. COGAN

GLENN E. KARTA

August 5, 1998

* NOT ADMITTED IN D.C.
† IN NE OFC.

VIA FEDERAL EXPRESS

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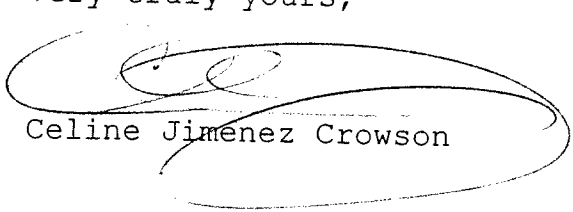
Mr. Nick Marchesani
204 Sheridan Place
Brigantine, N.J. 08203

Re: Hi-Low Card Game and Gaming Table
Our Reference: 2413-101

Dear Nick:

Per our telephone conversation, enclosed are copies of the patents located during a collection search in connection with the above-referenced matter. I look forward to receiving your comments at your convenience.

Very truly yours,


Celine Jimenez Crowson

CJC:cv
Enclosures
2413-101.LT1

Application Serial No. 09/168,072
Declaration under 37 CFR § 1.131
In reply to Office Action dated May 21, 2007

AFFIDAVIT UNDER 37 C.F.R. §1.131

EXHIBIT D

LAW OFFICES
ROTHWELL, FIGG, ERNST & KURZ

A PROFESSIONAL CORPORATION

COLUMBIA SQUARE
SUITE 201 EAST TOWER
355 THIRTEENTH STREET, NW
WASHINGTON, D.C. 20004

TELEPHONE (202) 783-6040
FACSIMILE (202) 783-8031
e-mail rfe@rtfk.com

OF COUNSEL

DON M. KECK*
JEFFREY L. JHNEN
ROBERT P. COGAN
GLENN E. KARTA

NEBRASKA OFFICE

1508 GOLD CIRCLE
SUITE 204
OMAHA, NE 68144
TEL: (402) 333-1550
FAX: (402) 333-1510

G. FRANKLIN ROTHWELL
E. ANTHONY FIGG
BARBARA C. ERNST
RAYMOND A. KURZ
GEORGE R. REPPER
BART C. NEWLAND
STEVEN LIEBERMAN
VINCENT M. DELUCA
CELINE JIMENEZ CROWSON
JOSEPH A. HYNDIS
ROBERT J. JONDLE, PH.D.
MICHAEL C. SULLIVAN
MARK I. BOWDITCH
KENNETH M. FACIN
STEPHEN B. PARKER
MINAKSI BHATT
B. ALLISON HOPPERT*
JEFFREY W. RENNECKER
STEPHEN A. SAXE, PH.D.*
MARTHA CASADY, PH.D.
JULIE A. NELSON
ELIZABETH A. LEFF*
LISA FAHLEN ULDRICH*

September 17, 1998

VIA FACSIMILE

* NOT ADMITTED IN D.C.
† IN NE OFF.

Mr. Nick Marchesani
204 Sheridan Place
Brigantine, N.J. 08203

Re: Revised Application And Documents To Be Signed
Hi-Low Card Game and Gaming Table
Our Reference: 2413-101

Dear Nick:

Further to our telephone discussion, I am enclosing a revised copy of the application (I direct your attention to e.g., pp. 3, 9 and 18, and the claims and abstract). Once again, please review the application for accuracy and completeness. If the application is in good form and if no additional changes are required, please sign the enclosed forms and return the same to our offices by facsimile so that the application can be filed.

Please note that one of the forms is a declaration under which you must declare that you are the sole and true inventor, and the other form is a small entity form entitling you to reduced government fees based on the invention not being owned by a company having over 500 employees. Incorrect designation of inventorship or small entity status can affect validity of the patent. If you ever assign or license any interest in this to any company, please let us know so that we can reconsider small entity status at that time.

2413-101A
SBP:jl

LOW/MAX CARD GAME METHOD AND APPARATUS

BACKGROUND OF THE INVENTION

1. Field of the Invention:

5 The present invention relates generally to card games and, in particular, to casino and the like card games wherein players bet on hands of cards dealt to them by a dealer. The present invention provides a novel card game method and apparatus.

2. Description of the Related Art:

10 A standard deck of playing cards typically has 52 cards, including four of each of the following cards: aces; twos through tens; jacks; queens; and kings. Standard decks typically also include two jokers which are not usually used in certain games.

15 A great variety of games are known in the art wherein a dealer hands out a set of cards to each player. Two well known card games are Black Jack and Poker. As with most card games, there are a large number of versions of both Black Jack and Poker known
20 in the art.

Additional exemplary card games are illustrated in U.S. Patent Nos.: 4,659,087 (Shen et al.); 5,098,107 (Boylan et al.); 5,282,633 (Boylan et al.); 5,294,128 (Marquez); 5,322,295 (Cabot et al.); 5,476,265 (Miller et al.); 5,613,682 (Otuzbiryay); 5,628,514 (Nguyen et al.); 5,632,486 (Mkrtchyan); 5,692,755 (Gutierrez); 5,735,524 (Wisted); and 5,741,012 (So et al.). These patents show a variety of games, including, among other things, card games using tables with peripheral player areas and a centrally located dealer area.

As one example, U.S. Patent No. 4,659,087 shows a casino game wherein the players and the dealer each receive four cards that are scored by splitting them into two "HIGH" groups. As another example, U.S. Patent No. 5,294,128 shows a multiple hand variation of the card game HI-LO poker wherein players are dealt six cards that are divided into a one-card "HIGH" hand, a two-card "HIGH" hand, and a three-card "LOW" hand. As another example, U.S. Patent No. 5,628,514 shows a method of playing a card game using a deck of 360 cards from 15 modified decks, wherein the card game is played according to either a "HIGH" winning scheme or a "LOW" winning scheme. As yet another example, U.S. Patent No. 5,322,295 shows a multiple hand card game wherein

the players are dealt supplemental cards with the desired goal of attaining a value higher than that of the dealer without exceeding a value of, for example, 21.

5 Although there are a great many games known in the art, there remains a continued need for games that are enjoyable for players of all skill levels and that are economically and functionally desirable for casino use.

SUMMARY OF THE INVENTION

10 The present invention provides a unique card game method and apparatus that can be both enjoyable for all players and desirable for a casino or house and that can overcome problems in the existing art.

 According to a first aspect of the invention, a
15 method of playing a card game is provided which includes the steps of: providing a standard deck of cards; providing a game table having a dealer area and a plurality of player areas; having a dealer deal sets of cards to each of a plurality of players and to the
20 dealer itself, an equal number of cards being dealt to each player, said equal number being from 3 to 7 (most preferably between 3 and 5); having each player make a wager prior to viewing the face value of their respective cards; having each player split at least

three of their respective cards into two half-hands, a first half hand having a LOW value and a second half-hand having a HIGH value; having the dealer split at least three of his cards into two half-hands, a first
5 half hand having a LOW value and a second half-hand having a HIGH value; designating a player as a winner if both a) that player's LOW hand is lower than the dealer's LOW hand and b) that player's HIGH hand is higher than the dealer's HIGH hand.

10 In a preferred embodiment, the step of having a Dealer deal includes dealing 4 cards to each player and wherein the steps of splitting the player's and dealer's cards into half-hands includes making each half-hand with 2 cards.

15 In a preferred embodiment, the step of designating a player as a winner if both a) that player's LOW hand is lower than the dealer's LOW hand and b) that player's HIGH hand is higher than the dealer's HIGH hand is based on valuing aces as either 1 or 11,
20 valuing 2's through 10's as 2 through 10, respectively, and valuing jacks, queens and kings as 10.

In a preferred embodiment, a player loses when either: a) both the player's HIGH and LOW half-hands lose; b) one of the player's half-hands loses and the

other of the player's half-hands pushes; or c) both of the player's HIGH and LOW half-hands push.

In a preferred embodiment, a player pushes when either: a) one of the player's half-hands wins and the
5 other of the player's half-hands loses; or b) one of the player's half-hands wins and the other of the player's half-hands pushes.

In a preferred embodiment, the dealer area has a location for a chip rack, a location for receiving a
10 HIGH half-hand and a location for receiving a LOW half-hand and the player areas each have a chip wager region, a location for receiving a HIGH half-hand and a location for receiving a LOW half-hand.

According to another aspect of the invention, a
15 card game apparatus is provided which includes: a) a standard deck of cards; b) a game table having a curved side with a plurality of player areas and an opposite side with a central dealer area; c) the central dealer area including: a chip rack; a HIGH half-hand region
20 designated by indicia printed on a top surface of the game table; a LOW half-hand region designated by indicia printed on the top surface of the game table;
d) each of the player areas including: a chip region designated by printing on the surface of the game

table; a HIGH half-hand region designated by indicia printed on the surface of the game table; and a LOW half-hand region designated by indicia printed on the surface of the game table.

5 The above and other advantages, features and aspects of the present invention will be more readily perceived from the following description of the preferred embodiments thereof taken together with the accompanying drawings and claims.

10

BRIEF DESCRIPTION OF THE DRAWINGS

 The present invention will become more fully understood from the detailed description given hereinbelow and the accompanying drawings which are given by way of illustration only, and are not
15 limitative of the present invention, and wherein:

 FIG. 1 is a top view of a top surface of a game table according to a first embodiment of the invention;

 FIG. 2 is a top view of a dealer area of the game table shown in FIG. 1 also having a discard rack and a
20 card shoe thereon;

 FIG. 3 is a top view of a player area of the game table shown in FIG. 1;

 FIG. 4 is a top view of a top surface of a game table according to a second embodiment of the

invention;

FIG. 5 is a top view of a dealer area of the game table shown in FIG. 4 also having a discard rack and a card shoe thereon;

5 FIG. 6 is a top view of a player area of the game table shown in FIG. 4.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

The games according to the preferred embodiments of the present invention are referred to herein by the
10 preferred trade name LOW-MAX™.

The preferred embodiments of the LOW-MAX game are preferably conducted with a standard (52 card) deck by a single dealer. Preferably, the deck is a regulation deck. As shown in FIG. 1, the LOW-MAX game preferably
15 includes a game table 10 that can be sized, for example, similar to a common Black Jack table. The game table 10 preferably includes a plurality of player areas for a plurality of players. Most preferably, the table 10 includes seven player areas A-G, as shown, and
20 a central dealer area H.

FIG. 2 shows a close-up view of the dealer area H in FIG. 1. As shown, the dealer area H preferably includes: a chip rack 30; a HIGH half-hand region 31; a LOW half-hand region 32; a discard rack 33; and a card

shoe 34. As shown, the dealer area can also include other indicia thereon such as the LOW-MAX tradename and indicia 35 indicating a commission to be received by the house (5% in the illustrated embodiment).

5 On the other hand, FIG. 3 shows a close-up view of one of the player areas A-G in FIG. 1. As shown, each player area preferably includes: a chip region 20; a HIGH half-hand region 21; and a LOW half-hand region 22.

10 FIGS. 2 and 3 illustrate preferred designs of the dealer and player areas, respectively. It is contemplated, however, that these areas can be modified as desired as long as at least one version of the LOW-MAX game can still be played (as discussed below). As
15 shown in FIG. 1, the table is also preferably semi-circular (i.e., curved on one side), with the dealer area H proximate a center and the player areas around a semi-circular periphery as shown. It is also contemplated, however, that the size and shape of the
20 table can be also modified as desired as long as at least one version of the LOW-MAX game can still be played (as discussed below).

In a first basic embodiment of the invention, the players and the dealer are each dealt four cards from a

standard deck of cards. As noted, a single standard deck is preferably used. The players then arrange the four cards into two half-hands (i.e., into two two-card hands). The players make one half-hand as low as possible (a LOW hand) and the other half-hand as high as possible (a HIGH hand). The values of each half-hand are calculated by adding the face values of the cards.

According to a first preferred embodiment, the cards are valued as follows: aces at either 1 or 11; twos through tens at numbers equal to the numbers on their respective faces of 2 through 10; jacks, queens and kings each at a value of 10. The lowest possible hand is thus a 2 (with two aces) and the highest possible hand is thus a 22 (also with two aces). In one alternative embodiment, the cards can be valued as follows: aces at 1; twos through tens at numbers equal to the numbers on their respective faces of 2 through 10; jacks at 11; queens at 12; and kings at 13. In another preferred embodiment, the cards are valued the same as in a game of poker -- so that the lowest possible hand would be a two and a three and the highest possible hand would be two aces. It is noted that in this poker-value embodiment, straights and

flushes would not be possible.

Prior to dealing the cards, each player makes an initial monetary wager or bet. Although the game could be played without a monetary wager, or even without any betting, monetary wagering is much more preferred. Preferably, each player bets by placing chips on the player's chip region 20 within his or her respective player area. Then, the dealer deals four cards face down to each player and to himself. The dealer preferably deals: (a) a single face-down card to the player at the position G; (b) a single face-down card to each subsequent player in turn in a direction clockwise around the table; (c) a single face-down card to the dealer himself. The dealer preferably repeats steps (a)-(c) until the players and the dealer each have four cards. The players and the dealer then split their cards into a "LOW" two-card half-hand and a "HIGH" two-card half-hand.

As discussed in more detail below, if a player's LOW half-hand is lower than the dealer's LOW half-hand and if the player's HIGH half-hand is higher than the dealer's HIGH half-hand, then that player "wins." That is, the player must win both the HIGH and the LOW half-hands to win the hand. When a player wins the hand,

11

the player preferably receives winnings in a 1:1 ratio, receiving an added amount equal to his wager minus a house commission. Preferably, the house commission is 5% of the player's wager. If the player loses the

5 hand, the player loses his wager.

The present LOW-MAX game can be exciting for players of all skill levels -- from the novice player to the advanced player. It can also be a game that is economically desirable for the casino or house and that

10 is simple for the casino or house to implement (e.g., requiring only a single dealer without a high degree of dealer expertise). The LOW-MAX game is thus beneficial for both the players and the casino or house.

A variety of modified versions or options of the

15 LOW-MAX card game are contemplated. That is, as with many card games, a number of different versions or options can be played. Preferred alternative versions or options are discussed below.

Versions With Replacement Cards

20 FIGS. 4-6 show a first modified version of the LOW-MAX game, wherein after the players and the dealer are dealt four cards, a single replacement card can be purchased by any player upon the payment of a predetermined replacement fee. The replacement fee is

preferably an additional 50% of the initial wager. To receive the replacement card, the player must both (a) discard a card (e.g., face down) and (b) pay the replacement fee. Only then should the dealer deal that

5 player a new face-down replacement card. Although the table 10' for this first modified version can be the same as that for the first basic embodiment discussed above, as shown in FIGS. 4 and 5 the table 10' preferably includes indicia 35' identifying that a

10 replacement card can be obtained upon the payment of a replacement fee.

In another modified version of the game, after the players and the dealer are dealt their four cards, the dealer can draw a single replacement card. Preferably,

15 the dealer can only draw a replacement card when either: (a) 3 of the 4 cards received by the dealer are equal in value; or (b) 3 of the 4 cards received by the dealer have a value between 5 and 10 (i.e., 6's, 7's, 8's and 9's). The latter modified version is

20 preferably used in conjunction with the modified version enabling players to draw an additional card with the payment of a 50% replacement fee.

Five-Card Versions

In other modified versions of the game, each

player and the dealer can be dealt five cards. In a first variation, the players and the dealer can each throw back one card. Then, the remaining four cards can be used as described above. In a second variation, 5 the players and the dealer can use each card -- with one of the HIGH or LOW hands being based on the total value of 3 cards and the other of the hands being based on the total value of the remaining 2 cards.

Three-Card Versions

10 In other modified versions of the game, each player and the dealer can be dealt three cards. In this regard, one of the HIGH or LOW hands can be based on the total value of 2 cards and the other of the hands can be based on the total value of the remaining 15 1 card. In one variation, the players and the dealer can each receive one "free" hit after being dealt 3 cards (so that the player's hand thus becomes based on two two-card half-hands). In another variation, the players and the dealer can be dealt 3 cards, and the 20 players can be allowed to purchase a single replacement card for an additional 50% of their initial bet.

Four-Card/Five-Card Versions

In another modified version of the game, each of the players are dealt four cards and the dealer is

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dealt five cards. The dealer must then discard one card to make two two-card half-hands. In this modified version, the dealer preferably cannot draw and additional cards, but each of the players preferably
5 may purchase a single replacement card for an additional 50% of the bet.

Player Banking Versions

In another modified version of the game, any player may choose to "bank" a hand for a fee.
10 Preferably, the fee is a 5% commission on all of the banking-players winnings in the hand. In order to "bank" a hand, a player must have enough money to pay all of the remaining players combined. Preferably, the player banking their hand must play against the dealer
15 first and, preferably, for no more than their last bet against the dealer. Then, each of the hands of the other players are compared to the dealer's hand. For each respective hand, the banking player either pays the other player's winnings (if the other player wins)
20 or receives the other player's wager minus a 3 commission (if the dealer's hand wins). Preferably, the dealer must bank at least every other hand so that players cannot bank two games in a row.

In another modified version of the game, any

player may "co-bank" a hand with the dealer for a fee. Preferably, the fee is 5% of all the co-banking player's winnings on that hand. In order to co-bank, a player must put forth 30% of all of the wagers from the other players combined. Preferably, a dealer uses the co-banker's hand instead of the dealer's hand in this case. In this version, the co-banker does not play against the dealer and the wins and losses get split in half between the dealer and the co-banker (minus the commission, which is preferably 5%, of the co-banker's winnings as discussed above).

Winning/Losing

In games wherein no draws are permitted (e.g., where the players are not permitted to draw a replacement card) as well as in games wherein draws are permitted, the payoff on all bets is preferably 1 to 1, and all winners are preferably charged a commission fee (preferably 5%).

Preferably, both half-hands must win to win a hand. That is, the player's LOW hand must be lower than the dealer's low hand, and the player's HIGH hand must be higher than the dealer's high hand.

Preferably, a player "loses" when either: (a) both the player's HIGH and LOW hands lose; (b) one half-hand

loses and the other half-hands pushes (i.e., is equal in value to the dealer's hand); or (c) both of the HIGH and LOW half-hands push.

Preferably, a player's hand "pushes" when either:

- 5 (a) one half-hand wins and the other half-hand loses; or (b) one half-hand wins and the other half-hand pushes. When a player's hand pushes, the player's wager can, for example, remain on the table so as to "push" over and be applied to the subsequent hand.

10 Four-Of-A-Kind Options

In one variation of the game, a player can receive a set reward for receiving four-of-a-kind. For example, a set monetary value can be awarded to a player that receives four-of-a-kind.

- 15 In another variation of the game, a player can receive a progressive jackpot for receiving four-of-a-kind. In this regard, the player with a four-of-a-kind can win, for example, a set amount for each hand that is being played. That is, a certain monetary value can
20 be awarded to the player that receives the four-of-a-kind for each player at the table at that time.

The method for providing a progression jackpot can be like that known in the art for other card games.

Advantages And Modifications

As discussed above, the present invention provides a game method and apparatus that can be enjoyable for players of all skill levels and that can be economically and functionally desirable for casino use.

5 The preferred embodiments of the invention provide a game that is simple enough for a novice player and yet exciting enough for skilled players. According to the more preferred embodiments of the invention, wagers or bets are preferably only made prior to dealing the
10 cards -- except that a replacement card can be purchased in one preferred modified version of the game. This, among other things, simplifies the game for novice players.

15 While the present invention has been described with reference to the preferred embodiments of the invention, it is contemplated that the same can be varied as would be apparent to those skilled in the art based on this disclosure without departing from the spirit and scope of the invention. Any and all such
20 modifications are intended to be included within the scope of the following claims. As some exemplary modifications, various modified versions of the present LOW-MAX game described herein can be combined together where appropriate. For example, the variations,

versions and options can be combined together as appropriate, such as varying valuation, numbers of cards dealt and/or in the hi and low half-hands, replacement cards, draws, banking, progression, etc.,

5 as desired. It is also contemplated that additional embodiments of the game can include community cards (e.g., one or two commonly used cards for each player as is known in the art). It is also contemplated that additional less preferred embodiments of the game can

10 also include different numbers of cards dealt to each player. Although the most preferred embodiments are discussed above, other less preferred versions can include for example six or seven cards dealt to each

15 player. In the latter case, the half-hands can be divided in any manner; preferably, however, each half-hand has at least two cards; and, more preferably, each half-hand has two cards and the remaining cards are thrown back.

CLAIMS**What is claimed is:**

1. A method of playing a card game, comprising the steps of:

5 providing a standard deck of cards;

providing a game table having a dealer area and a plurality of player areas;

having a dealer deal sets of cards to each of a plurality of players and to the dealer itself, an equal
10 number of cards being dealt to each player, said equal number being from 3 to 7;

having each player make a wager prior to viewing the face value of their respective cards;

having each player split at least three of their
15 respective cards into two half-hands, a first half hand having a LOW value and a second half-hand having a HIGH value;

having the dealer split at least three of his cards into two half-hands, a first half hand having a
20 LOW value and a second half-hand having a HIGH value;

designating a player as a winner if both a) that player's LOW hand is lower than the dealer's LOW hand and b) that player's HIGH hand is higher than the dealer's HIGH hand.

2. The method of claim 1, wherein said step of having a dealer deal includes dealing 4 cards to each player and wherein said steps of splitting the player's
5 and dealer's cards into half-hands includes making each half-hand with 2 cards.

3. The method of claim 1, wherein said step of having each player make a wager prior to viewing the face value of their respective cards includes having
10 each player make a wager prior to having any cards dealt by the dealer.

4. The method of claim 1, wherein said step of designating a player as a winner if both a) that player's LOW hand is lower than the dealer's LOW hand
15 and b) that player's HIGH hand is higher than the dealer's HIGH hand is based on valuing aces as either 1 or 11, valuing 2's through 10's as 2 through 10, respectively, and valuing jacks, queens and kings as 10.

20 5. The method of claim 1, wherein said step of designating a player as a winner if both a) that

player's LOW hand is lower than the dealer's LOW hand and b) that player's HIGH hand is higher than the dealer's HIGH hand is based on poker values of the cards.

5 6. The method of claim 1, further including, after having the dealer deal sets of cards to each of a plurality of players, the steps of having a player a) discard one card and b) pay a replacement fee and then dealing that player an additional card.

10 7. The method of claim 1, further including, after said step of designating a player as a winner, the step of giving that player winnings in the amount of a 1 to 1 payout minus a commission fee.

15 8. The method of claim 7, wherein said commission fee is 5% of the player's winnings on the hand.

 9. The method of claim 6, wherein said replacement fee is an additional 50% of the initial wager.

10. The method of claim 1, wherein said step of having each player make a wager prior to viewing the face value of their respective cards is the only wagering available during the game.

5 11. The method of claim 1, wherein said step of providing a game table having a dealer area and a plurality of player areas includes providing the dealer area with a location for a chip rack, with a location for receiving a HIGH half-hand and with a location for
10 receiving a LOW half-hand and includes providing the player areas each with a chip wager region, a location for receiving a HIGH half-hand and with a location for receiving a LOW half-hand.

12. The method of claim 1, wherein the players
15 and the dealer are dealt four cards, and further including the steps of allowing a single replacement card to be purchased by any player upon the payment of a predetermined replacement fee and allowing the dealer to draw a single replacement card under certain
20 conditions.

13. The method of claim 12, wherein said certain conditions under which the dealer is allowed to draw a single replacement card include when either three of the dealer's cards are equal in value or have a value
5 between 5 and 10.

14. The method of claim 1, wherein each player and the dealer are dealt five cards.

15. The method of claim 1, wherein each player and the dealer are dealt three cards.

10 16. The method of claim 1, wherein each player is dealt four cards and the dealer is dealt five cards.

15 17. The method of claim 1, further including the step of allowing a player to bank a hand for a fee provided that that player has enough money to pay all of the remaining players combined.

18. The method of claim 1, further including the step of allowing a player to co-bank a hand for a fee provided that that player has 50% of all of the wagers from the other players combined.

19. The method of claim 1, further including the step of designating a player as a loser when either: a) both the player's HIGH and LOW half-hands lose; b) one of the player's half-hands loses and the other of the player's half-hands pushes; or c) both of the player's HIGH and LOW half-hands push.

20. The method of claim 1, further including the step of designating a player's hand as a push when either: a) one of the player's half-hands wins and the other of the player's half-hands loses; or b) one of the player's half-hands wins and the other of the player's half-hands pushes.

21. The method of claim 1, further including the step of giving a player an award if the player is dealt a hand having four-of-a-kind.

22. A card game apparatus, comprising:
a) a standard deck of cards;
b) a game table having a curved side with a plurality of player areas and an opposite side with a central dealer area;

c) said central dealer area including: a chip rack; a HIGH half-hand region designated by indicia printed on a top surface of said game table; a LOW half-hand region designated by indicia printed on said
5 top surface of said game table;

d) each of said player areas including: a chip region designated by printing on said surface of said game table; a HIGH half-hand region designated by indicia printed on said surface of said game table; and
10 a LOW half-hand region designated by indicia printed on said surface of said game table.

23. The apparatus of claim 22, wherein said dealer area further includes a discard rack and a card shoe.

15 24. The apparatus of claim 22, wherein the game table also includes other indicia thereon indicating a commission to be received by the house.

25. The apparatus of claim 22, wherein the game table also includes other indicia thereon indicating a
20 replacement card fee.

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26. The apparatus of claim 22, wherein said HIGH half-hand region in said dealer area is located adjacent said LOW half-hand region in said dealer area, and wherein said HIGH half-hand region in each player
5 area is located nearer said dealer area than said LOW half-hand region in the respective player area.

27. The apparatus of claim 22, wherein said game table has seven player areas.

ABSTRACT OF THE DISCLOSURE

A card game method and apparatus is played with a standard deck of cards and a game table having a dealer area and a plurality of player areas. The dealer deals sets of cards to each of a plurality of players and to the dealer itself. An equal number of cards is dealt to each player; the equal number is 3, 4 or 5. Each player makes an initial wager. After receiving their cards, each player and the dealer split their cards into two half-hands, a first half-hand having a "LOW" value and a second half-hand having a "HIGH" value. A player wins if both a) that player's LOW hand is lower than the dealer's LOW hand and b) that player's HIGH hand is higher than the dealer's HIGH hand. A number of variations of the game are also described.